



City of Carmel

CARMEL PLAN COMMISSION SUBDIVISION COMMITTEE MINUTES

THURSDAY, MAY 4, 2006

**LOCATION: CAUCUS ROOMS
CARMEL CITY HALL
ONE CIVIC SQUARE
CARMEL, IN 46032**

**TIME: 6:00 P.M.
DOORS OPEN AT 5:30 P.M.**

Rick Ripma called the meeting to order at 6:06p.m.

The Subdivision Committee will meet to consider the following items:

1. Docket No. 06010001 Z: Monon Townes PUD

The applicant seeks to rezone 6.81 acres from R1/Residential to PUD/Planned Unit Development for the purpose of creating 65 townhomes.

The site is located at 1001 Rohrer Road.

Filed by Ann M. Walker for Pulte Homes of Indiana, LLC.

Present for the Petitioner: Ann Walker-Kloc and David Compton with Pulte Homes and Charlie Frankenberger with Nelson & Frankenberger representing Pulte Homes.

Petitioner's Presentation: Charlie Frankenberger said that the petition was last before the Committee on March 7, 2006. He noted that they took the input and comments received at that meeting and, in response, Pulte has re-evaluated the plan. He said that Pulte has made many significant changes to the plan. He noted that one of the handouts that was passed out showed the old plan juxtaposed with the new plan to show the differences. He said that the property is approximately 6.81 acres located North of 131st Street and North and West of US 31 in the area where US 31 jogs North and then East. He said that the site is also located between Rohrer Road and the Monon Trail.

Dave Compton said that they would be asking for a continuance at that meeting, but that they were looking for more input in what they consider to be an evolutionary process. He said that in the last sixty days since the last meeting, he said that they have had four different meetings with neighbors. He said that they had an extensive meeting with the Department staff. He said that from these meetings have come the new site plan. He said that probably the biggest change that was made was

that the entrance was moved 500 feet to the South. He said that it meets the City of Carmel's requirements regarding distances. He said that even more significant is the change to the proximity of the townhomes buildings to back of the homes in the existing adjacent neighborhood. He said that under the old plan, the proposed townhomes buildings came within thirty feet of the back of some of the homes in the adjacent neighborhood. He said that now with pulling the cul-de-sac and street down, the range is around sixty-two feet from Mr. Blanchard's house, ninety-eight ft, eighty-eight ft, etc. He said that they have allowed for a substantial landscape buffer plus an additional buffer. He said that the view from the existing neighbors will be to the sides of the units rather than the backs of the units. He said that there had also been a substantial product change. He said that all of the units proposed in the revised plan are rear-loaded townhomes. He said that he would be the first to admit that they are not where they want to be on those yet in terms of front elevations, differentiation in units, working with staff, and the ends of the units. He noted that some of the other changes included pedestrian interconnectivity. He said that the existing neighbors as well as the people living in the townhomes would have direct access to the Monon that they will be able to enjoy. He said that they are going to continue to work with staff to determine about the cul-de-sac placement and design and whether they want to connect in to the neighborhood to the South. He said that they have had positive feedback on the significant landscape enhancements. He said that two of the questions raised at the last meeting were, "What is this development giving back to Carmel?" and, "What is the compelling reason to rezone?" He said that when Pulte first looked at the site, they looked at it in context with its location in the US 31 overlay zone. He said that the overlay zone indicated that most likely there will be forces pushing toward housing developments that are along the US 31 Overlay zone that would be more commercial in nature. Therefore, higher intensity, possible attached product would be adjacent to that. He said that there is already a good precedent of that looking South of I-465 where Duke bought an entire subdivision there, which is now an eight-story building. He said that what is also in it for Carmel is a tax-base. He said that a traditional single-family home produces just about one school child per unit. He said that if they were to come in and put ten homes on it, he said that they would generate a fair market value of about 4.5 million dollars and ten school children. He said that, based upon Pulte's traditional history with townhome units at an average sales price of \$240,000 would generate almost 16 million dollars and about 6 school children at just under one school child per unit. He said that he believes that this community continues the diversity of housing in Carmel. He said that the buyer profile is 45-55 years old. He said that he would probably not be one of the buys because the townhomes have stairs and since he has had two knee surgeries, so it is probably someone who is still active. He said that he believes that they will be able to address some of the existing drainage concerns. He said that they project the average price of the units to be \$240,000. He said that the neighbors average sales price in the existing subdivision to the South from May 1, 2003 through May 1, 2006 has been \$232,000. He said that he believes that they will be consistent in price, although they are still proposing a three-story unit. He said that the exterior materials will be brick, stone, and hearty plank. He said that the reason they are asking for a continuance is so they can still study the land plan. He said that they have had some suggestions from the neighbors on possibly orienting the buildings on the Monon to provide additional distance there. He said that they would like time to proved staff and the City of Carmel with exactly like what the rest stop will look at. He commented that they have done in depth studies on buffering, even as detailed as how the car headlights would look coming out of the subdivision at night. He said that they are working with each individual neighbor to listen to their concerns. He said that he realizes that it may include putting trees on their lots as

well as the site. He said that Jud Scott, Pulte's arborist, is working with Scott Brewer. He said that they knew that the trees were going to have to be substantial in height in order to provide an instant buffer. He said that they were going to continue to work with the connectivity in the community. He said that they were wanting to work with the neighbors as well as the City of Carmel staff for the elevations of the units as well as the ends of the units. He said that he knows that there is a large vocal voice on two-story units. He said that they haven't thrown that out completely, but that they would like to come back with some three-story elevations before they make that final decision.

Rick Ripma called for general public comments favorable.

Seeing none, **Rick Ripma** called for Organized remonstrance-unfavorable.

George Bowers, Vice President of the Hunter's Creek South Homeowner's Association, who resides at 13727 Moffitt Drive, said that they continue to have the same objection that they had at the last meeting. He said that the density is way beyond what Estridge is. He said that if you go down to the corner of Rohrer Road, Estridge has thirty-one units and two stories. He noted that this proposed development would have over sixty units and would be three stories tall. He said that they object to the three stories. He said that Dave Compton kept talking about the neighbors, but that they have never been talked to and they are just right across the street from the proposed development. He said that the same objections that they had before have not been addressed and he said that they continue to object to it.

Patrick Rondeau, who resides at 13708 Autumn Lake Overlook, said that he is there representing the subdivision of Autumn Lake. He said that the Homeowner's Association President was not available, so he and Jim Blanchard would be speaking on his behalf. He said that one of the issues that was discussed in terms of compelling reasons to rezone was that they look at it and the only thing that appears to them to be a positive from what Dave Compton was saying was that there would be additional tax benefits. He said that the issue with that is that no details of the numbers of the tax benefits have been provided. He said that he is a business professor at Butler University trained in Statistical analysis and he said that you can make numbers go any way that you want, so he said that the detail is critical for them. He said that they would like to confirm those numbers. He said that it is his understanding that a builder is going to put in single-family homes on the site to the South of the Autumn Lake Subdivision. He said that North of the proposed site and across the street is another subdivision that will consist of single-family homes. He said that as far as part of the compelling reason being fitting in with the area and being consistent with the type of housing in the area. He said that there is no consistency there that he can see. He said that the difference with the other subdivision was that it provided a buffer between their neighborhood and the existing O'Malia's grocery store that was two-story and consistent with what was already there. He said that as far as the neighbors were concerned, it was a compelling reason from that point of view. He said that a couple of other things that have not been addressed are the traffic issues. He said that the new plan actually increases the number of townhome units, not decreases the number of units. He said that they had run Pulte's plans by a few realtors. He said that they found that the realtor's were still negative on it in terms of the impact it would have on the Autumn Lakes home values and the attractiveness of living in a home in that area. He said that other things that they were concerned about is that Pulte has begun to work with them better but still not to the level that they would like to

be involved. He said that the three-story unit thing was still a big thorn in their side. He said that it would be a hard thing for the neighbors in Autumn Lakes to swallow. He said that he wanted to point out that in the three subdivision areas around that site, there are four to five hundred voters that would be very unhappy with three-story townhomes. He said that there were some very important points brought up by Committee members at the last meeting. He said that the Committee said that the townhomes were not shown to be consistent with the area. He said that issue of tree preservation was commented on at the last meeting. He said that there had been nothing addressed with regards to tree preservation. He said that the drainage issue was brought up, which he was pleased to see that they had begun to look at that issue, for the people on the other side of the Monon. He said that the neighbors are not seeing the information come as fast as they would like from Pulte Homes. He said that the subdivision is not opposed to the development, they just want responsible development that will be consistent with the neighborhood and the plans of the City of Carmel.

Jim Blanchard, who resides at 13707 Autumn Lake Drive, said that he has the largest home and lot in the subdivision. He said that he had appraisals done that came in at \$350,000 and \$364,000 by National City Bank and Chase Bank respectively. He said that he met with his realtor, Bob Mueller, this week who told him that it would definitely affect that value of his home and that he would not be able to get the appraised value of the home. He said that just North on Rohrer Road, there is a six and a half acre parcel that is going to be developed into 19 single-family lots. He said that just South of Autumn Lakes will be another single-family residential development going in. He said that they would like to see it remain single-family residential and he said that now is the time for the City of Carmel and Pulte to be creative in coming up with a development that will meet the needs of the aging population who are now nearing retirement and want to downsize from their large homes to smaller homes. He said that with zero lot lines, many homes could be built and their property values could be unaffected. He said that we need to start thinking about the future of the aging population and how they can be kept in Carmel. He said that if that cannot be done, the people will go somewhere else.

Rick Ripma called for any other organized remonstrance unfavorable.

Seeing none, **Rick Ripma** called for general public comments-unfavorable.

Seeing none, **Rick Ripma** asked for the petitioner's rebuttal.

Dave Compton said that Pulte is committed to continue to work with the neighbors. He said that he didn't know that he would address every issue tonight as the project is still a work in progress. He said that they would stand by their average prices for the community of between \$200, 000 and \$232, 000. He said that certainly there was a high and a low in that, but that takes into account sales. He said that Pulte would commit to make sure that they get information to the neighbors on a timely basis as soon as they have it. He said that they would continue to make themselves available for questions. He asked Ann Walker-Kloc to get contact information from George Bowers, so they could get him information as well. He said that he would certainly share with Patrick Rondeau his methodology and history in doing fiscal impact studies. He said that he had been working with consultants, Buzz Carrone and Morton Marcus to develop fiscal impacts. He said that Morton Marcus is the retired head of the economics department at Indiana University.

Department Report: **Angie Conn** said that she would just briefly touch on issues, since the petition would be continued. She said that there is still the issue of the two-story structure versus the three-story structure. She said that the Department Report touches upon petitioner would be required to do upgrades to Rohrer Road. She said that the street light style is requested to have more of a flat lens where the light shines down and not up and out. She said that the landscape plan should be revised and submitted to the Urban Forester. She said that the staff is still waiting for a response from the Engineering department. She said that the Department recommends that this item be continued to the June 6, 2006 meeting.

Carol Schleif said that she thinks that one of the main reasons for a rezoning is for better design and she said that, as she looks at the graphics, she sees a lot of rooftops and a lot of pavement. She said that she doesn't see that this plan fits in this area. She said that she knew that the petitioners had gone and redesigned everything and that what she was hoping to see was cluster housing or something single family, more in keeping with the surrounding areas. She said that she realizes that the overlay is close, but that there was too much between the site and the overlay to try and tie the two together. She said that if there was a backyard that backed up to their backyard, the headlight issue would go away. She said that as far as the hearty plank it would be better in the ordinance if the petitioner did not mention a brand name. She said that there are three major companies that have this product right now and all of them are in court over it. So, she said that one of the companies has a certification program. She said that she thinks that this product is one that, due to the nature of the way it is installed, it can be really troublesome. She asked the petitioner to write in language that the hearty plank is to be installed by a certified installer. She said that so far she doesn't see the compelling reason to change the zoning. So, she said that she is hopeful that there will be something different next time. She said that tax base is not necessarily an issue. She said that they can still get a lot of people in there without it being so dense. She said that she can see it as being very attractive in some form. She said that as far as lot size goes, the R-1 is a good size. She said that the setbacks are good. She said that she wasn't set on that, but she said that she would rather have the setbacks than the townhomes at this point. She said that forty feet was too tall in her mind as far building height. She said that she's looking at the elevations and that they look like a lot of the other townhomes in the area. She said that she had heard a lot of comments about the style of townhomes being boring and flat. She said that she likes more of the bumpouts. She noted that there was around a three-foot bumpout, which she said did not read. She said that it would have to be more like five to ten feet for it to give the facade any sort of depth.

Rick Ripma asked if there were units added or if the density was the same.

Ann Walker-Kloc responded that the current layout contains sixty-six units. She said that the original layout filed with sixty-five units.

Rick Ripma said that even a good-looking building built fourteen times looks bad.

Discussion ensued regarding existing drainage.

Dave Compton said that their site would drain to the North and that they might not solve the entire

problem, but that they would slow down the water and not contribute to the drainage problem anymore.

Rick Ripma said that if the petitioners intend to build the proposed Monon rest area, then the Committee would like to see a design of it.

Carol Schleif said that she would like to see separate mailboxes, as opposed to the ganging of the mailboxes.

Bill Ellis, who resides in the Autumn Lake subdivision, said that his question has to do with drainage. He said that if the development is developed, will the drainage going to run into the pond near his home. He said that the pond is a private pond and that it was stocked through the Indiana Department of Natural Resources.

Dave Compton responded that to the best of his knowledge, Pulte would be draining to the North. He said that there may be a small amount of rear yard drainage, but that everything was designed to drain to the North. He asked for Mr. Ellis's contact information, so he could keep him in the loop as plans develop.

Rick Ripma said that the City's ordinance requires two entries and that the Committee would like to see connectivity between Autumn Lakes and the proposed development. He said that he knew that some of the neighbors original requests were for the two developments to connect. He said that he would like to see some good and significant reasons why they wouldn't connect it if Pulte decided that they didn't want to.

Dave Compton clarified that in discussions with the City the chief concern has been fire access. He said that was where they established that the bricking was wide enough for fire access for a truck to get through and they put a gate with a lock on it that only the fire department has that allows for the connectivity of the fire department, but protected the kids in the Autumn Lakes subdivision. He said that they would certainly continue looking into that.

Rick Ripma said that docket number 06010001 Z: Monon Townes PUD would be continued to the June 6, 2006 meeting of the Carmel Plan Commission Subdivision Committee meeting.

...END...

2. Docket No. 06030005 PP: Village on the Monon

The applicant seeks to plat 19 lots on 6.29 acres.

The site is located at 1320 Rohrer Road and is zoned R1 Residential

Filed by Kevin Roberts of DeBoy Land Development Services for The Anderson Corporation

The Petitioner requested a continuance to the June 6, 2006 prior to the May 4, 2006 Committee meeting.

3. Docket No. 06010005 Z: Shelborne Property PUD

The applicant seeks to rezone 20 acres from S1/Residential to PUD/Planned Unit Development for the purpose of developing single-family residences.

The site is located on the west side of Shelborne Road, north of 121st Street.

Filed by Charles Frankenberger of Nelson and Frankenberger for Indiana Land Development Co.

Present for the Petitioner: Dennis McGuire with Cripe, and Paul Shoopman and Liz Hobbs with Indiana Land Development and Charlie Frankenberger with Nelson and Frankenberger representing Indiana Land Development.

Petitioner's Presentation: Charlie Frankenberger said that he represents Indiana Land Development in the request for a change in zoning. He said that the petition was before the Committee previously on March 30, 2006. He said that the subject twenty acres were located North of 121st Street on the West side of Shelborne Road. He said that to the immediate West is the Creekside Elementary School. He said that the property is currently zoned S-1. He said that in the S-1 zoning classification, there aren't any architectural standards and the minimum house size is 1000 square feet for a single story home and 800 square feet for the first story of a multi-family home. He said that Indiana Land Development has requested a change in zoning to a PUD district. He said that the residences will be custom as mandated by the text of the PUD Ordinance. He said that the petitioner will far exceed the S-1 requirements in terms of both size and architecture. He said that the petitioner received many suggestions as previous meeting, which have been incorporated into the PUD Ordinance. He said that the revisions are recapped in the brochures. He said that revisions requiring a pedestrian path along Shelborne Road were added. He said that revisions requiring the trail connecting the cul-de-sac were added. He said that provisions were added mandating custom homes. He said that provisions regarding exterior building materials and chimneys were added. He noted that provisions requiring that all front loaded garages be recessed were added. He said that provisions requiring additional landscaping were added. He said that in order to ensure a balance between recreational paths, tree preservation, and open space, the PUD was revised to include the requirement that all recreational paths within the community open space be coordinated with the Department to ensure that tree preservation is balances with recreational paths. He said that provisions requiring that there be at least two windows per occupiable floor on each elevation. He said that design standards for porches were added and the PUD was amended to include the requirement that porches be a minimum of six feet in depth. He said that based upon suggestions, trails within common areas have been reconfigured and simplified. He said that the streets interior to the subdivision have been made more curvilinear. He said that the revisions are illustrated on the board shown. He said that the lot sizes were increased. He said that 50% of the lots were increased in width from 90 feet to 100 feet. He said that as a result of the increase in size, two lots have been lost, and the total number of lots has been reduced from 40 to 38. He said that an update staff report was provided. He said that he would briefly respond to it. He said that the Department Report mentions the landscape plan. He responded that a revised and detailed copy of the landscape plan had been submitted to the Urban Forester, who was in the process of reviewing it. He said that the petitioner recognized that any recommendations of the committee are conditioned upon the resolution of any outstanding landscape comments to the Department's satisfaction. He

said that was also the case, they realized, with any outstanding comments from the Engineering Department. He said that they have submitted revised plans and that they have received comments and been in communication with them. He said that the comments pertained primarily to normal development issues such as streets and drainage. He said that regarding references in the Department report to street improvements, Indiana Land Development will enter into commitments to make or fund road improvements. He said that regarding the reference in the Department report to minimum roof pitches, the Shelborne PUD does provide that the primary roof of all residences will be at a 6 to 12 slope. He said that there have been many very positive changes.

Rick Ripma called for General Public Comments – Favorable.

Tom Jones, who currently owns the property at 12210 Shelborne Road, said that he had been a resident there for fifty-one years. He said that he generally supports the project. He said that it would be good for property values in the area, it would provide a good tax base, and that, as much as everybody enjoys a rural atmosphere, he said that it had not been rural for a very long time.

Rick Ripma called for additional General Public Comments – Favorable.

Seeing none, he called for organized remonstrance – Unfavorable

Jeff Kimball, who resides at 3940 West 121st Street, said that up until 5:15p.m. this afternoon the note submitted in the packets was completely accurate. He said that at 5:15p.m., Paul Shoopman called him and explained that they were reducing the number of houses to be placed on the property from 40 lots to 38 lots. He said that it was a very small step towards addressing his concern. He said that it is his opinion that now that the property is down to a density of 1.89 dwelling units per acre. He said that there is nothing in the area that is above 1.25 units per acre, so he said that all of the other comments that he has had in the past hold true and he thanked the Committee for their consideration.

Rick Ripma called for any other organized remonstrance – Unfavorable.

Seeing none, he called for General Public Comments – Unfavorable.

Seeing none, he called for the petitioner's rebuttal.

Charlie Frankenberger said that they didn't have anything to add.

Department Report: **Angie Conn** said that there are still some members of the public who have issues with the density of the project. She said that this is a concern that needs to be addressed. She said that as the petitioner stated, they are still working with the Urban Foresters and the Engineering Department to resolve their issues. She said that the Department recommends that this item be continued to the June 6, 2006 meeting.

Dan Dutcher said that he would like to hear from the Department a little more regarding their

perception on two issues. He said that he would like to hear what they think about the density after the ROSO revisions and the rezoning to PUD.

Angie Conn said that she thinks that Rick Ripma said it best at the last meeting that the PUD and the density change was more of a way for the Plan Commission to have control over design and quality. She said that the PUD, which is a rezone, triggers the whole public hearing process, where the Committee has to review the quality of projects that come through in Western Clay Township. She said that in a way it ensures the public and the City that a high-quality project is being produced. She said that the density is fairly close to what some of the density is in the surrounding areas. She said that it is up to the Plan Commission to work through these issues and concerns and see how it fits in with the overall picture of Carmel as a whole. Angie Conn said that the recommendation for the docket number to be continued is more of a standard recommendation when there are outstanding issues like that. She said that if the petitioner can guarantee that the issues can be resolved by the next Plan Commission meeting, then, of course, staff could support moving it forward.

Dan Dutcher said that there have been different minds on that issue in the past. He said that, historically the Committee and the Plan Commission has been more willing to approve based upon the assumption of certain issues being worked out. He said that he thinks that there has been more reluctance lately to move forward without issues being resolved.

Rick Ripma said that the Committee would like the issues all resolved before they even get the docket numbers, but he said that through the process it doesn't always work that way. He said that he thinks that if everything keeps being continued, then the agendas are just going to keep getting longer and longer. He said that he hates to see the Committee just keep continuing things. He said that he wasn't sure if this project was ready for a vote, but that he hated seeing things being added on to an already lengthy agenda. He said that it would be ideal if the Department would work to have the hanging issues resolved before it shows up on an agenda.

Charlie Frankenger said that part of the problem in resolving the Engineering and Landscaping issues is that the plan has changed a little bit. He said that some of the outstanding comments arise by reason of those changes. He said that some of the Engineering issues aren't actually resolved until construction drawings are prepared and are through TAC in connection with the Secondary Plat approval. He said that this is why at this stage the petitioner is saying that they recognize that any recommendation from the Subdivision Committee and the Plan Commission is specifically conditioned upon the petitioner satisfying all of the concerns of Engineering and the Urban Foresters.

Carol Schleif commented that that she believes that the Plan Commission has allowed housing to go up that is not fully landscaped. She said that she would like to see full foundation plantings and trees in backyards. She said that a lot of people when they buy homes are stretching to qualify for their mortgage. She said that she believes that the developers need to give the homeowners a break, but also everyone else that has to drive by a break.

Rick Ripma said that it was his understanding that on a PUD, it was allowable to ask for those kinds

of things.

Dan Dutcher said that Charlie Frankenger could review the landscape standards of the PUD to see if there could be any room for improvement.

Carol Schleif asked if, since the lots were now ten feet wider, if they were planning to require side-loaded garages.

Paul Shoopman responded that the generic drawings that they put in the book were courtyard or side yard entries into the garages. He said that since this would be a custom project they would mostly be anyway.

Carol Schleif asked if it was okay to remove the “front-loading” from the language of the PUD.

Charlie Frankenger said that he thinks that the homes in the subdivision are anticipated to be in a price range of \$490,000 to \$690,000. He said that by the terms of the PUD they are required to be custom homes. He said that the tendency is for the custom homes to side-loaded and rear-loaded garages, but he said that the petitioner did not want to tell someone who was building an expensive custom home that they couldn't have a front-loading garage. He said that they don't expect it to happen with great frequency, but the petitioner does not want to eliminate it as an option. He said that it eliminates a number of floor plans.

Carol Schleif said that she doesn't think front-loading garages should be in there. She said that at that price-level, and with the widths of the lots, there is room to do that. She said that she doesn't see anything wrong with having that in the PUD or in the covenants. She said that type of restriction is in a lot of covenants. She said that she likes what she sees except for those garages. She said that the petitioner has allowed room and that they won't actually lose much. She said that if the homes are truly custom they should be started from scratch anyway.

Charlie Frankenger said that he thinks that most of them will be courtyard or side-loading garages anyway, but that he does think that there are custom homes in Carmel priced in excess of \$750,000 that have front-loading garages. He said that the petitioner just did not want to foreclose that possibility.

Carol Schleif said that it could even be done with 80-foot lots. She said that she disagrees and she said that it was really important in her mind to keep the development in Carmel up to the standards that it ought to be. She said that twenty feet in a front yard just doesn't seem like very much. She said that it looks like it will vary with the way that the streets are laid out. She said that she has trouble with a five-foot sideyard requirement. She said that with this price-level of a home and with the homes being designed to the lot, she thinks that the existing ten feet is kind of wimpy, but at least it gives a little more light in there. She said that the cementitious fiber siding should be generic with no brand name, but it needed to be added that it was to be installed by a certified installer. She said that the tile roofing and metal roofing should be taken out. She said that one thing that has been discussed is to have the level of detailing and articulation on each elevation balanced.

Discussion ensued regarding the design and articulation of the elevations of the homes.

Carol Schleif asked if there had been any discussion about doing LEED.

Liz Hobbs responded that they were able to incorporate several different LEED characteristics.

Carol Schleif said that she had to put in a plug for Universal Design. She said that it is being done and has been done all over the place for at least thirty years. She said that the idea of Universal Design is to make modifications when it's either opted for or necessary down the road to ensure that walls do not have to be ripped out. She said that she would love to see all of the doors at least 2 ft. 8 inches. She said that as an architect, she knows that is not a big deal. She said that doors and hallways really should be wider. She said that on the interior chimneys, she sees that there is effice (Sp.) or wood. She said that, for something of this quality, she would either say masonry or effice. She said that she prefers masonry. She said that she wouldn't design a non-masonry chimney unless it was in a place where you can't get a foundation to go straight through. She said that she was going to recommend that be put in the architectural guidelines. She said that she thinks that if the neighborhood is truly custom, then the colors and building materials shouldn't repeat more than once a block.

Rick Ripma said that the only real question he had, other than some minor things, was on the roof pitch. He asked what Charlie Frankenberger had said that the roof pitch would be.

Charlie Frankenberger responded that it was 6 to 12. He said that he thinks that it will be revised to say that the roof pitch is 6 to 12 for the primary roof and that ancillary roofs can be a lesser roof pitch.

Rick Ripma asked if there was any way that the Committee could get a little better than that. He said that he thought that last time they had agreed to a 12 to 12 roof pitch.

Paul Shoopman said that he thought that the roof pitch had been 5 to 12 and that they had agreed to raise it to 6 to 12.

Rick Ripma asked Carol Schleif what type of roof pitch is normally seen in this price range of home. He said that Carol Schleif had said a range of 7 to 12 to 12 to 12. He said that she also said that a 7 to 12 is probably indistinguishable from a 6 to 12.

Paul Shoopman said that the disillusion about roof pitch is that it is based upon the depth of the house. He said that it is a very sensitive issue.

Dan Dutcher said that he thinks that since the Department has recommended a continuance to resolve some of their issues, he thought they should continue the item until the petitioner would have some time to respond to some of the issues and questions brought up tonight.

Paul Shoopman said that he wanted to clarify the perspective of the community and the price point. He said that they were trying to elevate up from higher end production to lower end custom. He said that he doesn't want anyone to think that they are talking about million dollar homes because he said they will not be. He said that he wants to make note that they have had numerous meetings with the homeowners in the area. He said that the modifications to the plans have been good. He said that in relationship to density, the lots being proposed are actually going to be larger than Steve Wilson's lots in Kendallwood. He noted the Kendallwood's density was lower, but that the lots in the subdivision they were proposing would actually be larger. He said that he thinks that they have been very sensitive and that they have tried to work diligently to come up with a better plan. He said that he agrees that they need to go back, based on some of Carol's comments and make some changes.

Rick Ripma said that the item would be continued to the meeting on June 6, 2006. He said that he would like the City to make sure that the petition is ready to move forward on their end.

Carol Schleif asked if they could get materials to review ahead of the meeting.

Rick Ripma told Charlie Frankenger said that he would like to be at the point where the Committee can vote on this next time. He said that doesn't mean that we move it through, just to move it through.

...END...

4. Docket No. 06010009 Z: Crook PUD

The applicant seeks to rezone 20 acres from S1/Residential to PUD for the purpose of platting 40 single family homes on 20 acres.

The site is located at 2238 W. 136th Street and is zoned S1/Residential.

Filed by Charlie Frankenger of Nelson and Frankenger for Indiana Land Development.

Present for the Petitioner: Dennis McGuire with Cripe, and Paul Shoopman and Liz Hobbs with Indiana Land Development and Charlie Frankenger with Nelson and Frankenger representing Indiana Land Development.

Petitioner's Presentation: **Charlie Frankenger** said that he works for the offices of Nelson and Frankenger in Carmel and is representing Indiana Land Development in this request for a change in zoning. He said that this petition was last before the Committee on March 30, 2006. He said that the subject twenty-acres is a rectangular parcel located on the North side of 136th street, just East of Towne Road. He said that to the immediate North is the Westwood Estates subdivision being developed by Justus Homes. He said that the real estate is now zoned S-1. He said that there are currently no architectural requirements in the S-1 zoning. He said that they were proposing to change the zoning to a PUD district. He said that the homes in the proposed development would far exceed the requirements outlined in the zoning classification in terms of size and architecture. He said that the petitioner received suggestions during the various meetings, which have now been incorporated into the plans. He noted that the changes to the PUD include provisions for a pedestrian path along 136th Street, and provisions regarding exterior building materials and

chimneys were added. He said that brick chimneys are required on the perimeter of the residence. He said that the interior chimneys were going to be either cementous fiberboard or effice. He said that provisions requiring additional landscaping were added, design standards for porches were added, and requiring that porches be a minimum depth of six feet. He said that provisions were added requiring at least two windows per occupiable floor on each elevation. He said that in order to ensure a balance between the tree preservation and the recreational paths, he said that the PUD was revised to include a requirement that the recreational paths within the Community and open space be reviewed with the Department to ensure that the two objectives-tree preservation and paths-are balanced. He said that the proposal includes a large park area to the North. He said that there is significant tree preservation per suggestions, trails in the common areas have been reconfigured and simplified. He said that the Department Report indicated that there were five outstanding matters. He identified one of those issues as landscaping, which he said that a detailed landscape plan had already been submitted to the Urban Forester. He said that the petitioner understands that any recommendation from the Committee is contingent upon resolving landscape issues to the satisfaction of the Department. He said that they realized that would be the case with any engineering issues as well. He said that many of those issues would be addressed at the Secondary Plat phase with construction drawings. He said that the petitioner would commit to upgrades to 136th Street. He said that there was a statement in the Department Report that in some instances the elevations submitted do not match the architectural commitments. He said that the elevations that are in the brochure are intended to be typical generic elevations to give a flavor to what type of homes will be built and what the character of the neighborhood will be. He said that since there isn't a builder yet, there aren't going to be exact elevations, but a statement would be included in the PUD ordinance that all residences must include all architectural features specified in the text of the PUD, even if they are not shown on a particular elevation.

Rick Ripma called for General Public Comments – Favorable.

Andy Crook, who resides at 2288 W. 136th Street, said that he is the current property owner of the property in question. He said that they bought their property in 1987 and that at that time there were no subdivisions from 131st Street to the West and North of Spring Mill. He said that since that time development has taken place fairly rapidly. He said that the density at Saddlecreek was 1.84. He said that it just continued to escalate as far as development. He said that, if the Village of West Clay is included, then the average density of the surrounding neighborhoods would be 1.94. He said that the Village of West Clay borders their property on the Southeast property line. He said that if the Village of West Clay is excluded, then the average density is 1.57. He said that the area hasn't seen rural and low-density for a significant amount of time. He said that with that development has occurred the need for a lot of infrastructure. He said that Cinergy put in a substation to the Northwest of their property. He said that he would also like to note that in order for Lake Park to be approved a drainage easement had to be put through his property. He said that in exchange for that they got the opportunity to access the drainage and siphons. He said that they also allowed the City of access a water line to go through their property in connection with Brenwick's development. He discussed some of the background of how the West wood Estates came about. He said that the installation of the substation and all of its associated line was what prompted a lot of the development in the area. He said that the substation installation has had an effect on development out there. He said that that only one of the lots adjacent to the substation has sold. He said that it

shows the impact that the substation has had on the development in the area. He said that the lots in Westwood range from .21 acres to .3 acres. Mr. Crook explained the exhibits that he presented to the Committee members. He said that part of what drew them to purchase the property was the 3.5 acres of wooded land. He said that one of the requests that they had in working with Indiana Land Development was to preserve as much of the woods as possible. He said that as far as impact on the residents of Westwood Estates, there will only be two lots facing Westwood's five lots along the common border of the properties. He said that the third lot proposed would not touch any of the lots adjoining. He said that the reality is that what the Crooks got from the developers of Westwood in terms of density and lack of setback and lack of appeal has been more than adequately taken care of by what is being proposed in the development. He said that the Justus homes website said that the range of the homes are from \$340,000 to \$455,000. He said that doesn't mean that some might not exceed that depending on the features put inside. He said that the development that is being proposed will have a probable price range of \$380,000 to \$580,000. He said that the Westwood plat was approved with only one entrance and exit point and that was on 141st street. He said that the City requested that Westwood have a stub onto the Crook property and then there is another stub street to the east. He said that in thinking about traffic flows in their area, it is vastly no to the North. He said that traffic flows to the South and to the East or the West. He said that it is much more likely, rather than any traffic going from the Crook Property into Westwood, the more likely scenario, he believes is that it will come from Westwood into the proposed development. He said that as far as the demand for housing, recent reports in the April 29, 2006 issue of the Indianapolis Star said that the demand was for more intermediate priced housing and that the housing demand would still be very high. He said that the updated draft version of the Comprehensive Plan, which has just recently been released, he believes, begins to reflect the reality of the type of development that is going on in the area around the proposed development. He said that the area is no longer one unit per acre rural type community. He said that it has been/is being developed. He said that he knows that the draft copy of the comprehensive plan will be debated and argued.

Rick Ripma called for additional general public comments-favorable.

Seeing none, he called for Organized remonstrance-unfavorable.

Tony Papay, who resides at 2030 W. 136th Street, said that he represents four of the properties along their, which is half of the perimeter of the proposed development. He said that he was trying to correlate the 81 ft. wide property widths to the price of the homes in the neighborhood. He said that to him, it just doesn't make sense. He said that it seems to constrain the type of home that could be built on the property. He said that if the type of quality product going into the subdivision would mirror that in the Village of West Clay or the Westwood Development and the 100 ft. wide lots, then he wouldn't have as big of a problem with what is proposed. He said that their concerns are with the density and the house prices there.

Rick Ripma asked for any General Public Comments - Unfavorable.

David Martin, who is building a home in Westwood Estates adjacent to the Crook property, said that Westwood Estates is largely an "empty-nester" community. He said that they like the fact that they have a nice pastoral view and he commented that leaving the property S-1 would likely increase

the likelihood that that setting would be maintained. He said that Westwood Estates is an area where the density is approximately 1.4 units per acre. He said that he would like to say that some of Mr. Crook's comments were misrepresentations and he said that he would like the opportunity to prove it. He said that Westwood Estates is laid out in clusters of homes with green space in between them. He said that from the newly published draft copy of the Comprehensive Plan, one of the objectives is that there is a commitment to higher architectural standards for all municipal buildings and facilities. He said that the intent is set a precedent for quality and to establish character goals. He said that developers would be more likely to follow the City's lead, as it says in the new draft version of Carmel's Comprehensive Plan. He said that the proposal says that there will be a partial brick front façade with some type of siding on the other sides. He said that another objective stated in the draft version of the Comprehensive Plan was to provide more custom housing opportunities for upper income families. He said that Mr. Crook had mentioned the idea of the "Suburban Residential" classification from the draft copy of the Comprehensive Plan. He said that one of the development features of that suggests a minimum of 20 percent of open space. He said that the proposal on the table calls for 15 percent. He said that the new draft version of the Comprehensive plan calls for a curvilinear street layout. He said that a lot of their concerns are with quality and density. He said that he would like to get a chance at some point to make Mr. Crook's density comparison's fair and accurate. He said that another concern is that since the petitioner's have suggested that the probable price range is going to be \$380,000 to \$580,000, the Estridge community going in a half-mile from the proposed development with all brick wraps, basements, and three-car garages. He said that the price range of both developments is going to be the same. He said that Estridge's landscape minimum is typically in the low 20's to 30 plantings. He said that Indiana Land Development has upgraded their plantings to ten now. He said that this throws up some red flags or indicators that the quality is not going to be very high in the proposed development. He said that they are not seeing specifics and he said that they are concerned about who will be accountable for the quality and what the specifics are, and who the builders will be, and what the neighbors should truly expect. He said that, finally, there are some questions that remain. He asked if it was intended for the density found in the center of the Village of West Clay would be the exception and not the norm, for development in West Carmel. He said that another question regarding Mr. Frankenberger's repeated statements that the quality would far exceed the S-1 classification. He said that he would pose the question if any S-1 subdivisions in West Carmel could be identified in which the standards in practice are as low as what is being proposed. He asked if any of the neighbors to this proposed rezoning have stepped up and said that this is great, this is just what this area needs. He asked what the compelling reason was for this project to move forward.

Rick Ripma called for additional general public comments-unfavorable.

Rick Rhorens, who is building a home in Westwood Estates, said that he wanted to make a clarification of one comment that Mr. Crook made. He said that Mr. Crook had commented that most of the traffic would typically flow South to 136th Street, but with Clay Terrace being the closest commercial property on that side, he thinks that it is logical that people would travel North to 141st Street.

Rick Ripma called for any additional general public comments – unfavorable.

Seeing none, he asked for the Petitioner's Rebuttal.

Charlie Frankengerger said that he thinks that people need to be careful when referring to the Comprehensive Plan Draft. He said that he thinks that Mr. Crook's comments were just general that the land use map attached to the Comprehensive Plan draft shows a widespread recognition that density in Western Clay Township isn't going to be one per acre. He said that it is just in draft form, so he thinks that there is a danger in looking at specific textual provisions in the Comprehensive Plan Draft because it is still a work in process and has not been approved. He said that he thinks that Mr. Crook's point in discussing the density of this particular area was not to say that there aren't areas in this proposal that are of the same density, but just to illustrate the impact that the proposed development would have on the immediately adjacent five lots. He said that there was some confusion on the density of Westwood Estates. He clarified that the density of Westwood Estates is 1.52 units per acre based upon the plat. He said that the S-1 provisions of the Carmel Zoning ordinance contain no architectural standards, but just a size limitation.

Paul Shoopman said that he wanted to outline the plan in generics and what they are trying to accomplish. He said that the lot prices in the proposed community are in the \$110,000 per lot range. He said that according to the Justus website are in the \$70,000 to \$80,000 range. He said that the lot prices are significantly higher. He said that when a lot price is higher, it is pretty likely that the sales price of the house is going to be higher. He said that they had agreed to about \$40,000 worth of mounding and tree landscaping to provide a significant buffer for both neighborhoods. He noted that there is a letter signed by Jack noting the commitment that has been placed in the DOCS file. He said that in the design stage they tried to be aware and sensitive to the neighbors. He said that they specifically worked around the tree preservation area. He discussed the specifics of the design of the landscaping and the drainage of the site. He said that he's made commitments on sales price.

Department Report: **Angie Conn** said that the comments are basically the same as the last project. She said that the landscape plan has yet to be approved by the Urban Forester and there are still outstanding issues with the Engineering Department. She said that the petitioner covered the other issues with the Street upgrades, roof pitch and elevation. She said that the public spoke at the last meeting and it seems that there has been an issue still with density and also they brought up the possibility of possibly doing affordable housing. She said that with the outstanding issues, the staff recommends that the item be continued.

Dan Dutcher said that he would like to make a couple of comments. He said that he likes to compare the prior project to this project because they seem similar. He said that a couple of things that jump out to him when the two are compared is that this project is that this project has smaller lots and, thus, is a little more dense. He noted that this project seems to have a little less open space and that the open space here seems to be pretty well concentrated around the existing house. He said that there really isn't a lot of usable open space for the end of the development, which is farther away from the existing home. He said that the lot sizes and the open space pieces might be areas where the petitioner could do a little bit of tweaking. He said that even though the layout isn't curvilinear, the way it hangs together is less problematic than the last design. He said that the last design seemed to be more grid-like prior to adding the curves. He said that clearly a lot of progress had been made with this petition. He said that he feels they are heading in the right direction.

Carol Schleif said that the building height should be left as is. She said that side yard setback is not enough good space. She said that with an 80 ft. wide lot the petitioner is getting to a good percentage of the front of the building that is all garage door. She said that the petitioner needs to start thinking about having rear loading or side loading garages. She said that it would require a complete redesign. She said that the housing product would change also. She said that the only relief that she sees is to cut the lots down. She said that lot coverage is over double what it should be under the S-1 zoning classification. She said that there should be certified installers for the cement board siding and that the petitioners should not use a brand name when addressing that material. She asked the petitioner to have the elevations articulated with equal amount of detail. She said that she thinks that the windows went through that.

Charlie Frankengerger said that the window provision is in there.

Carol Schleif said that she thinks that in order to have continuity of design the 50 % masonry on the front elevation should go to all four sides of the home. She said that she would request only effice on the interior chimneys. She said that her comment would be the same as it was on the last petition with regards to the repeating of the same unit within the same block. She said that lot landscaping on individual lots. She commented that the petitioner should look to incorporate whatever LEED and Universal Design elements they can.

The **petitioner** requested to be continued to the June 6, 2006 meeting of the Subdivision Committee.

Rick Ripma said that it would be helpful if the Department could verify that the landscaping and other issues were taken care of prior to the next meeting. He said that the project would be continued to the June 6, 2006 meeting.

...END...

5. Docket No. 06020006 PUD: Aramore PUD

The applicant seeks a rezone to create 150 townhomes & 72 courthomes on 27.35 ac. The site is located near the SE corner of Westfield Blvd and 99th St. and is zoned S2. Filed by Nick Churchill of Pittman Partners Inc.

Present for the Petitioner: Steve Pittman and Neal Smith with Pittman Partners

Petitioner's Presentation: **Steve Pittman** said that he would not be asking for a vote tonight, but that it was their hope that by the June 6, 2006 meeting, they would be ready for a vote. He said that they have made a modification to section 14.1 exhibit E. He said that what was changed was that the petitioners will be required to come back before the Plan Commission as they get more detail in the process. He said that the amount of information to be provided to the Plan Commission members is currently minimized. He said that the density has been reduced. He said that while the layout is pretty similar, the plan presented tonight actually contemplates 205 units rather than the 220 they started out with. He said that this is mostly due to drainage issues that they are running into on the site. He said that the development would involve the

installation of over 2000 feet of storm sewer that will go from the proposed development to the I-465 Right of Way. He said that they would be working with the City of Indianapolis, Carmel Engineering, as well as the Indiana Department of Transportation to be able to outlet into their Right of Way, so he said that the situations were being worked through. He said that the project would be a major improvement for the infrastructure of the area. He said that the project needs density to be able to incur all of the infrastructure costs and improvements. He said that they do have some issues with the Carmel Engineering Department in terms of the off-set road improvements that they planned to continue to work through. He said that he is hopeful that at the June 6, 2006 meeting, they will have worked out some of that. He said that the plan includes two points of ingress and egress from surrounding roads. He said that per Carmel's past requirements, they like the development to stub into adjacent streets that come up to them. He discussed the possibility of stubbing into Maple Drive. He said that Carmel has also discussed with them the possibility of moving the entryway to the North some. He said that Carmel has also asked the petitioners to look at doing some commercial areas in the front. He said that the neighbors didn't want commercial buildings. He said that the buyers of the townhomes are going to own the unit plus the ground under it. He said that the condos' owners would only own the airspace. He said that all of the ground is common area. He said that they had talked with Scott Brewer with regards to tree preservation. He said that the site is so low and because they will be grading and filling, he doesn't anticipate having a tree preservation plan. He said that they had purchased a 55 inch tree spade and 90 inch tree spade. He said that would allow them to come in and be able to make the development look mature when they are finished. He said that they had traffic counts done of how much the traffic from 220 townhomes would affect the area. He said that he wanted to address the architecture of the proposed development. He discussed the different architectural options they had been designing and that were available to them. He said that they were flexible to change things if people didn't like the options presented. He presented the potential Homes by John McKenzie courthome product. He said that they were asked how far the detention area was from the edge of pavement. He said that they were 45 ft. from the edge of the pavement. He said that as far as buffering and landscape plans are concerned, those will be provided at the appropriate time. He said that they would request a continuance to be able to work out some technical issues.

Rick Ripma called for General Public Comments – Favorable.

John Tintera, who owns the property at 2700 E. 96th street, but who resides in Chicago, IL at 2828 N. Cambridge, said that long before the design standards started coming through on this project, there was a lot of time spent on this project in terms of having the right type of residential. He said that when his parents retired, they purchased a double. He said that he would have never believed that they would have sold their big house and moved into a double, but that's exactly what they did. He said that he believes that the project is appropriate for the area and he believes that, if the design standards remain high, it will raise the profile of the entire area and he is very enthusiastic about it.

Pete Sullivan, who resides at 9629 Maple Drive, said that his comments are favorable in talking with Steve Pittman quite a bit about the development that he is doing. He said that he likes the idea of being neighbors to the development. He said that the one area that they are still a little

confused about is that there is a lot going on in the area and that how they are going to be rezoning things still needs to be resolved. He said that the drainage issues are reflected on everything that is South of the site. He said that there are some pretty good plans for the area, but that a lot of those plans revolve around what the City is going to do. He said that the area at 98th Street which comes out to Westfield Blvd., but has never been connected, if it were to be opened, it would drastically affect the area. He said that they proposed at the last meeting that the area be considered a possible connection to the Monon. He said that this wasn't really discussed in the meeting tonight. He said that he would really like to see some of the other issues resolved. He said that it really isn't a reflection on what Steve Pittman has proposing here, but he said that it is really impossible to do one without the other. He said that they are concerned about traffic flow on the area. He said that they anticipate finding out at the next meeting where these issues stand.

Rick Ripma called for Organized Remonstrance – Unfavorable.

Seeing none, **Rick Ripma** called for General Public Comments – Unfavorable.

Sherry Wood, of 9641 Lincoln Blvd., said that she is the resident on the other side of the property. She said that she has never really talked to Steve Pittman. She said that he has never come to her house. She said that she is in the process of doing a drainage project right now at her house. She commented that she had been enlightened by doing the project. She said there are 27 acres and the project would put 205 units on it. She said that other people are harping about 20 acres where they are only putting 40 units on it. She said that she would really question the density of this project in their area. She said that this project doesn't fit in the area. She said that it wasn't even close. She said that if the City were going to take the whole area and transition to make it a Village of West Clay. She said then this project would fit in there. She said that if the City was going to try to leave the single-family ranches there along with doubles, it doesn't fit. She said that she also knows that Steve Pittman has approached people to purchase homes as options. She said that would decrease the chances of the neighborhood surviving this development. She said that she questions that. She said that she thinks that the tree preservation is gone. She thinks the site is wetlands basically. She said that in the Indianapolis Monthly, it rated Woodland Springs as one of the twelve great neighborhoods. She said that she questions why the city would want to put a development like this in the middle of a wooded area with wetlands, single story and double story homes.

Lucy Hunter, of 2201 E. 99th Street, said that the site is a whole huge wooded area complete with mature trees. She said that their big concern is the density. She said that this is a corridor into Carmel. She said that Keystone is very congested and buisinessy. She said that Meridian is office buildings. She said that this is the only residential entry into Carmel and she said that they were going to turn it into a very dense type of cement city. She said that the traffic pattern figures sound so low to her. She said that she doesn't know an empty-nester who is looking for a three story. She said that their big concerns were the woods, the density, and the traffic patterns. She said that they would appreciate not having people in their side yard right outside her bedroom window.

Grant Balloons, of 2155 E. 99th Street, lives in a custom home built from scratch designed to look like a log cabin. He said that the outside South-facing is 24 ft. of glass with vaulted ceiling. He said that he knows that the Carmel plan was talking about buffers of at least fifty feet. He said that when he looks at the plans presented tonight, there will be a buffer of about 20 feet with a three-story multi-family building looking in on his glass front room. He said that you can't put window coverings on 24 ft. of glass. He said that this morning when he went to work, he waited a couple of minutes to get out of his driveway and he said that traffic was pretty backed up even without the 220 units that will be in the area adding to the traffic problem. He said that this doesn't fit. He said that you can't see his house from the road, but he won't be able to see the sun if there is a three story townhome blocking his view.

Rick Ripma called for any additional public comments – unfavorable

Seeing none, he called for the Petitioner's rebuttal.

Steve Pittman said that they held a neighborhood meeting, as well as meeting with property owners individually. He said that they take that part of the job very seriously. He said that they have concerns about what would be next to them and how they can buffer from that. He said that there was a comment that this is wetlands. He said that they hired a consultant early on to complete a wetlands study. He said that the site is not a wetlands. He said that as everything gets developed and redeveloped, development will begin to tend to look more like this proposed project. He said that an "urban" feel was not the type of feel that they were going for. He said that they have had people approach them about possibly buying their houses. He said that the houses from 96th street to 98th street under contract to redevelop. He said that he doesn't know if it will work or not because it is incredibly expensive to buy a house, tear it down and try to redevelop. He said that what they are learning is that the value of the houses is not necessarily the value of what somebody would pay for it to live in it, but is actually what it would cost for the existing homeowners to go get another house in Carmel and keep their kids in the school district. He said that he doesn't know if that will work. He said that he would anticipate that some of the areas would redevelop and that some of them won't. He said that he thinks that has been the meat of the issue with Carmel.

Department Report: Angie Conn said that the recurring concerns from the public have been identified as the issue of tree preservation, the drainage, and the building height being three stories, and the questioning of the traffic study. She said that she has a recent email from the Engineering Department that details the outstanding issues. She said that the Department is still waiting for an updated landscape plan. She said that the Department would like more detail with regards to the buffering methods to be used, whether it be berms, landscaping, or fencing. She said that the Department recommends that this petition be continued to the June 6, 2006 meeting to allow the petitioner time to resolve all outstanding issues.

Dan Dutcher said that he just has one comment. He said that he feels that the elevations have an appealing flavor to them. He said that he like the one that Steve Pittman called "Arts and Crafts". He said that he really likes where the petitioner is at and where the petitioner seems to be headed in terms of the design. He said that clearly there could be some density issues here

and clearly there are some issues in terms of the neighbors here. He said that he fully expects the petitioner to work through with the neighbors to resolve some of the issues. He said that the general look and feel of the development is good. He said that he thinks that the location is interesting. He said that he is interested to know how this plan and area is articulated in the Draft Comprehensive Plan. He said that it seems in his mind that some sort of realistic transition will need to be maintained between the neighborhood and this development.

Carol Schleif said that looking at the plan, if the courthomes could be done all over that would be a big help. She said that she doesn't think the spacing between the buildings is very good. She said that the taller the building, the more space that is needed between them. She said that increasing the space between the buildings would help with the fact that there is a heck of a lot of concrete and asphalt and rooftops in the site plan. She said that there is hardly any green left. She said that she doesn't see a place for people to sit. She said that more usable open space was needed. She said that most of the open space was water right now. She said that she imagined that there was a lot of water because of drainage issues, but she said that some of the buildings need to go away to get some green back in the site. She said that the petitioner should target the largest trees to try to save as the development happens. She said that the layout is kind of grid-like and she doesn't really care for that. She discussed the elevations. She said that she didn't like the three stories in the area. She said that she would like to see more variation in the elevations. She said that she doesn't feel like the three stories compliment what is in the area. She said that in terms of density, it is her first reaction that it is too much. She said that on the landscaping, if in doubt, do more. She said that she would like to see full foundation plantings. She said that she agreed with a previous comment at a different meeting that the elevations should have more stone.

Rick Ripma said that he likes the look of the elevations. He said that he doesn't know why brick necessarily indicates higher quality. He said that he doesn't think that brick is the only way to go. He said that he still thinks that if every building looks the same then it is ugly. He said that he would like to see some additional designs in the same style beyond just changing colors. He said that he sees both sides of the density issue. He said that he understands that if there is a site with a lot of water, then it takes money and density to make that work. He said that he doesn't agree with the City's request for commercial in the area. He said that he thinks that that adding commercial would be a big mistake. He said that he thinks that if the area ever had commercial, then it would be better of on a corner than in the middle of this area. He said that looking at the site plan, it does look like a lot of concrete.

Steve Pittman said that the area is really an area in transition. He said that with the amount of infrastructure necessary on the site, the site cannot be developed without the density.

Rick Ripma announced that the petition would be continued to the next meeting and would be discussed again on June 6, 2006.

...END...

6. Docket No. 06020010 PP: Stafford Lane

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The applicant seeks to plat 51 lots on 29.079 acres.

Docket No. 06030022 SW: SCO Chapter 6.05.07

Orientation of Home – request to allow dwellings to face internal street

The site is located south of 146th Street and west of Gray Road, and is zoned R1

Filed by Matthew Skelton of Bingham McHale, LLP, for Drees Homes.

Present for the Petitioner: John Talbot with Drees Homes and Matt Skelton and Steve Hardin with Bingham McHale representing Drees Homes.

Petitioner's Presentation: **Steve Hardin** said that he is representing Drees homes in this petition to build a subdivision to the R-1 standards. He said that at the last meeting the main issue of discussion was if there was any way that Drees with their Engineers could relocate the entrance drive from one side of the development to the other. He said that what is in the packets is a new site plan showing how Drees was able to relocate the entrance to the East. He noted that the stub street was also relocated to the North. He said that Drees reduced the density by one unit.

Rick Ripma called for General Public Comments – Favorable.

Dick Folds, who resides at 882 Arrowwood Drive, said that he was there on behalf of the Copperwood Homeowner's Association. He said that they were the subdivision to the West of the proposed subdivision. He said that their concern is that with the entrance road on the West side of the proposed subdivision double-fronted lots would be created. He said that the positive is that they appreciate the entrance road that is now on the East side. He said that the concern is that the greenway or hike and bike path, or easement will stay and that an alley is being created which is weird for Carmel. He said that they would like to have some sort of blocking off, so that cars will not be allowed through there after it is not used for the owner of the existing home. He said that they would also suggest some sort of mechanical entrance, so that when the easement owner wants to use it, they would have a key or someway to open it up, use it, and then it would be closed back, so the owner of the existing home, would be the only ones to accrss it.

Rick Ripma called for any other general public comments favorable.

Seeing None, **Rick Ripma** called for organized remonstrance – unfavorable.

Judy Hester, attorney representing Mr. And Mrs. Thompson, said that she looked over the Department Report and it said that the issues that had been raised at the previous meeting were site layout, buffering, double frontage, sewer lines, and open spaces. She said that the notation in the Department Report could be interpreted to say that all of the issues had been resolved. She said that she would ask the Committee to evaluate on its own whether the issues had been resolved. She said that they would suggest that they had not been resolved. She said that more issues had actually been created. She said that the site layout does not seem to be favorable to harmonious development. She said that they would ask the subcommittee to look at that. She said that the Thompsons have the right for ingress and egress. She said that is one of the reasons that they will be continuing with the declaratory action with the Court. She said that they knew what it meant with two families. She

said that they aren't sure what it will mean for fifty-one families. She said that they were unaware of the use of the easement with regards to the development. She said that it is ingress and egress for the Thompsons, but is it also going to be a bike path, walking path, or common area. She said that it is a paved area that really only fits one car. She said that if people are coming in off of the street, what happens if the Thompsons are coming out to the street. She said that she heard the discussion about the possibility of a gate, but she said that there is also an entrance to Copperwood nearby. She said that it, again, does not seem favorable to the harmonious development. She said that another question with regards to the open spaces. She said that she hasn't seen the calculations with the revised plan. She asked if the easement was going to be calculated as part of the open space of the subdivision. She said that with regards to the use, if it is a hike/bike path, then what will happen with regards to the maintenance and the insurance. She said that the distribution of traffic is not favorable to the safety or the convenience or the harmonious development. She discussed the specifics of the curb cuts and the acceleration/deceleration lanes in the area. She said that the Thompsons are very concerned about being rear ended as they attempt to turn into their easement. She said that the Thompsons say that when they have to turn in, they have to turn very quickly to get into their easement. She said that the Thompsons tell them that anywhere between 7:30am and 8:30am and between 4:00p.m. and 6:00p.m. or anytime on the weekend, for them to be able to turn out, can be difficult. She said that there are lots of questions but not a lot of answers. She said that it just doesn't seem that this fits here. She said that the look and feel seems to be a round peg trying to be crammed into a square hole. She said that it just doesn't fit. She said that it doesn't seem that maybe another exit should be out to Gray Road. She said that she would ask that the Commissioners look for a plan that would favor harmonious development as they would in all of Carmel and for a plan that would favor the safety and welfare particularly when it comes to traffic on this street.

Rick Ripma called for any other organized remonstrance – unfavorable.

Seeing None, **Rick Ripma** called for any general public comments – unfavorable.

Seeing none, **Rick Ripma** asked for the petitioner's rebuttal.

John Talbot, with Drees Homes, said that the first comment that Steve Hardin made at the beginning of his presentation, was that it was being built according to the R-1 standards. He said that the easement was an issue, but at the request of the Copperwood Homeowner's Association, he said that they moved that and the Right of Way to the other side. He said that the issue of locking that would be okay with Drees and they would certainly work with the Thompsons to do that if they chose. He said that it is not Drees's request to put a gate and lock access to that lane. He said that Drees would restrict in covenants and restrictions Homeowners going there for two reasons. He said that the first reason being for safety and the second reason being for the Thompsons driving in and out. He said that the road that they moved is a public road that the Thompsons and any of their guests would be welcomed to use that access as well. He said that the Covenants and Restrictions for the Thompsons and for the 10-12 homes that have that easement /driveway in the back., are going to be such that there won't be other cars and trucks using that any more than the Thompsons want others using that. He said that they would never deny the Thomsons access to their house throughout the construction process. He said that the easement is part of the common area and the common area calculations. He said that they would be adding landscaping as a buffer. He said that

part of the lots do go into the easement. He said that there is nothing that precludes that from happening. He said that they will not block access within that easement. He said that structures would not be allowed to go up in that easement. He said that the Staffords owned the land underneath that easement. He said that now Drees owns the land underneath that easement. He said that, while the Thompsons have had access, it has never been their property and he said that Drees, as the property owner, has the right to assign that to other folks. He said that there is no public easement on that Right of Way. He said that as far as acceleration and deceleration lanes on 146th Street, that is an issue of the County. He said that Drees is working with the County highway folks to meet all of their requirements. He said that there is no access out to Gray Road.

Department Report: **Angie Conn** said that staff requests that the petitioners make an architectural commitment to address the design standards proposed that would mirror the Draft Residential Architectural Guidelines. She said that there was an issue brought up on the landscape plan. She said that there was a request that the landscape easement be separated from the utility easement because there is an issue planting trees over gas lines. She said that the Engineering Department has made comments and they are in the process of working with the petitioner. She said that the Department recommends that the Committee continue the item to the next meeting, unless all of the issues are fully resolved prior to the Plan Commission meeting.

John Talbot, with Drees Homes, said that they brought architectural commitments with them. He distributed copies of the Architectural commitments. He said that what they have said that they will do is to follow the R-1 standards. He said that all of the homes would have extensive stone, brick or masonry on the exterior elevations. He said that there would be no vinyl siding, and that all of the homes would have a lower brick wrap on all four elevations. He said that garages would be side-loading with two windows. He said that all fireplaces would be direct vent on a foundation. He said that all roofs would have a twelve-inch overhang. He said that if a brick went up to the eaves, then that overhang would be reduced to eight inches.

Carol Schleif said that it should be a chimney. She said that she would like to see a chimney.

John Talbot said that they have been doing it in Lakeside Park.

Angie Conn said that if the petitioners were going with the Draft Residential architectural Guidelines, then it would have to be a full chimney.

Carol Schleif asked if the petitioners could do full chimneys.

John Talbot said that they were not providing the windows on the elevations, but that the brick wrap was to be in lieu of the windows on the elevations.

Angie Conn said that she would like to point out that this is not a PUD Ordinance, but that the developers have already gone by the ordinance.

Steve Hardin said that it would be completely voluntary for them to commit to that type of stuff

because it is a plat. He said that they were required to simply meet the standards of the ordinance.

John Molitor clarified that the petitioners could be asked to commit to certain things.

Discussion ensued regarding the process of approving a petition when they meet the minimum standards of the ordinance.

Carol Schleif asked for clarification that the distances between the public right of way and the private drive were appropriate.

John Talbot said that with the County that was never raised as an issue.

Carol Schleif said that she would like to know that. She asked what the Thompsons want in order to let go of the easement.

Judy Hester said that they have a lot of questions and that is why the matter is in court. She said that they are looking for guidance from the court.

Discussion ensued regarding the Thompsons current situation and their unwillingness to maintain open dialogue with Drees Homes.

Judy Hester asked for clarification on the open space.

Angie Conn said that she felt that any outstanding issues with open space could be resolved by the next meeting.

Rick Ripma asked if there was anyway to make the easement limited access.

John Talbot said that Drees Homes wouldn't care, but that he would have to defer that decision to the Thompsons.

Dan Dutcher said that this was one circumstance where he thought that a gate might actually make sense.

Steve Hardin said that they would make the commitment that they would consider it and discuss it with the Thomsons before the next meeting.

John Talbot said that they had committed to the homeowners in Copperwood that if at some point, the easement were to go away, then they would do something to block access from vehicular traffic.

Rick Ripma asked to see that commitment as a formal one in writing.

Dan Dutcher made formal motion to send docket number 06020010 PP: Stafford Lane and 06030022 SW back to the full Plan Commission with a **favorable recommendation** with the

following conditions:

- 1.) The commitments that have been offered regarding the Architectural Standards.
- 2.) The review and approval to the Staff's satisfaction regarding the updated landscape plan.
- 3.) As it relates to the easement, a commitment that Drees Homes will explore with the Thompsons a gate as an alternative and whatever the ultimate resolution is regarding the gate, a further commitment by the petitioner that at the time that the street is no longer used for ingress and egress and the easement no longer is necessary that the petitioner commit to installing devices that would preclude other vehicular use.

Carol Schleif seconded the motion.

Motion was **approved 3-0**.

...END...

Informal discussion ensued regarding the private gate request for the Woods at Lion's Creek subdivision.

7. Docket No. 06020017 CPA: 96th & Westfield Neighborhood Plan – CONTINUED TO JUNE 6 MEETING.

The applicant seeks to amend the Carmel/Clay Comprehensive Plan in order to incorporate the 96th & Westfield Neighborhood Plan.
Filed by the Carmel Department of Community Services.

The meeting was adjourned at 11:07p.m.

Subdivision Committee Chair – Rick Ripma

Respectfully Submitted By: Laura Rouse-DeVore